

REMARKS

Claims 1-54 are pending in the subject application.

In the Office Action dated September 5, 2006, the Examiner restricts the claims into the following groups: Group I (claims 1-32), drawn to a fiber extrusion pack/split distribution plates; Group II (claim 33) drawn to a spunbond apparatus; and Group III (claims 34-54), drawn to a method of making a fiber extrusion pack.

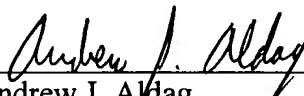
In response to the Examiner's Restriction requirement, Applicant elects, with traverse, Group I (claims 1-32) for prosecution. The election is made with traverse, because it is respectfully submitted that claim 33 belongs with Group I and should not be divided into a second group. The reason is as follows.

Initially, it is noted that claim 33 depends from claim 22, which falls within Group I. In other words, claim 33 includes all of the limitations of claim 22 along with additional claim features. Since claim 33 depends from claim 22, it should also be in Group I with claim 22.

Further, claim 33 clearly includes the recitation of a distribution plate that includes all of the features of the split distribution plate of claim 22. Thus, the relationship between claim 33 and claim 22 is one of combination/sub-combination, which requires a two-way distinctness test in order to sustain a restriction between the two sets of claims (as set forth in MPEP §806.05(c)). Claim 33 (the combination claim) requires all of the particulars of claim 22 (the subcombination claim) for patentability, so the first part of determining whether the inventions are distinct cannot be met, and thus a restriction is not proper.

Therefore, it is respectfully requested that the Examiner include claim 33 with claims 1-32 for examination.

Respectfully submitted,

  
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